

REMARKS/ARGUMENTS

Favorable consideration of this application is respectfully requested. Applicant has rewritten claims 1, 11-13, 15, 16, canceled claims 6-10, 14, 17-37 and 43, and added new claims 44-48. Favorable reconsideration of this application is, consequently, earnestly solicited in view of the following remarks. Applicant gratefully appreciates the examiner's indication that claims 38-41 are allowed and claims 7, 9, 10, 17, 18 and 20 contain allowable subject matter. Applicant gratefully appreciates the brief telephone consultation on April 22, 2004.

Claim 1 was amended to include the allowable subject matter of dependent claims 6 and 7.

New independent claim 44 is a combination of previously submitted claim 1 and allowable dependent claims 8 and 9. Dependent claim 45 is similar to previous dependent claim 10. Claims 11-13 have been amended to depend from claim 44.

New independent claim 46 is a combination of previously submitted claim 1 and allowable dependent claims 14 and 17. Dependent claim 47 is similar to previous dependent claim 18. Claims 15-16 have been amended to depend from claim 46.

New independent claim 48 is a combination of previously submitted claim 1 and allowable dependent claims 19 and 20.

As discussed in the telephone conversation of April 22, applicant is including with this response a supplemental prior art attachment with necessary filing fee. The supplemental attachment includes newly discovered art that applicant wishes to make of record. As discussed, applicant believes the invention is allowable over this art. Also, as discussed, applicant notes that this supplemental prior art is and has recently been made of record in co-pending applications before the Patent Office. For example, applicant notes that parent patent application 10/157,398, entitled "Barrier Against Crawling Arthropods) to the same assignee as that of the subject application recently had the same supplemental prior art attachment made of record. Examiner Michael Safavi, the examiner of record on application 10/157,398, also made the supplemental prior art attachment of record after a final rejection, and that application has been allowed.

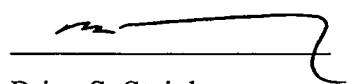
Claims 1 and 42 were rejected under sec. 102b over Achen. This rejection is now moot since claim 1 has been amended to include allowable subject matter of claims 6-7.

Claims 3-6, 8, 11-16, 19, 21-32, 34-37 and 43 were rejected under sec. 103 as being unpatentable over Achen. This rejection is also moot for the reasons given above, and also the rejection of claims 33-37 is now moot since these claims were canceled.

Applicant contends the references cannot be modified to incorporate the features of subject claims 1-5, 11-13, 15, 16, 38-42 and 44-48 without utilizing Applicant's disclosure. The courts have consistently held that obviousness cannot be established by combining the teachings of the prior art to Applicant to produce the claimed invention, absent some teaching, suggestion, incentive or motivation supporting the combination.

In view of the foregoing considerations, it is respectfully urged that the subject amendment and supplemental prior art attachment be entered and claims 1, 3-32 and 34-43 be allowed. Such action is respectfully requested. If the Examiner believes that an interview would be helpful, the Examiner is requested to contact the attorney at the below listed number.

Respectfully Submitted;



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